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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,141	09/21/1999	WALTER BRUCE GALT	RR10432	3058

35527 7590 05/19/2004

DUKE W. YEE  
CARSTENS, YEE & CAHOON, L.L.P.  
P.O. BOX 802334  
DALLAS, TX 75380

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/400,141

Applicant(s)

GALT ET AL.

Examiner

Rasha S AL-Aubaidi

Art Unit

2642

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED \_\_\_\_\_ FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Examiner  
Rasha S. Al-Aubaidi  
703-605-5145

The claimed "function" in claim 1 is too broad and may simply read on the user (e.g., "elderly person", col. 8, lines 36-47) "activating" the service. This would simply read on, for example, calling the service provider and "ordering" the service. Generally, it is old and well known that such services (e.g., call forwarding) may be activated/deactivated by simply dialing a code ("function selected").

Harlow clearly teaches the use of a sequence of telephone numbers. "Determining" that the service has been "requested", "ordered", or "activated" is absolutely inherent in Harlow. Apparently, applicant is reading limitations into the broadly claimed "function".

On page 17 of the amendment, applicant is reading limitations into claim 2 such as combining features, automatically modifying ...etc. No such limitations are recited in claim 2. The claim has no specific way for combining the features exactly as argued by applicant.

On page 18, (regarding claim 7), applicant argues that Foladare does not have a sequence. Examiner respectfully disagrees because Fig. 4 of Foladare clearly shows a default number and a current number (i.e., a sequence). Further, call forwarding inherently includes a sequence of destinations.

Contrary to applicant's arguments, Foladare does teach modifying the profile based on current location.

On pages 19-20 of the amendment, (regarding claim 16), applicant refers to irrelevant col. 10, lines 1-9. Note that the examiner cited col. 10, lines 20-29. Independent claim 16 has no limitation regarding changing the sequence/order of destinations. Applicant, again, is reading limitations into claim 16. Dependent claim 17 would simply read on the user deciding to switch destinations for a temporary period of time (e.g., day, week, vacation time, lunch time ...etc).

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600